



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/885,698	06/30/1997	SCOTT B. GORDON	1647/47358	7722

7590 03/27/2003

BRIAN L MICHAELIS
BROWN RUDNICK FREED & GESMER PC
ONE FINANCIAL CENTER
BOSTON, MA 02111

EXAMINER

NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
----------	--------------

2665

25

DATE MAILED: 03/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/885,698

Applicant(s)

GORDON, SCOTT B.

Examiner

Steven HD Nguyen

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/14/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-10 and 12-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-10 and 12-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-10 and 12-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tonnby (USP 6320857) in view of Anderson (USP 6064673).

As claims 1, 4-10 and 12-23, Tonnby discloses (Fig 1-6 and col. 2, lines 45 to col. 9, lines 60) an apparatus which includes a remote system (Fig 4, Ref 8 and 10) including a splitter which includes a splitter for splitting the incoming telephone signal for inputting into the converter (Fig 4, Ref 8 splits the telephone signal and computer signal and transmits the telephone signals to the telephone server Ref 10 for converting analog signal and converting the analog signal into a voice packet signal, a modem Ref 4, telephone User A for transmitting via data network wherein the link between Ref 10 and 14 is a packet link and implicitly providing matching impedance) for receiving telephone transmission signal and providing an analog audio output signal (the analog audio signal will be digitized, packetized and transmitted to network (Fig 4, the receiving telephone signal will be converted into analog audio signal at the telephone server 10 and then converting back into a voice packet by Ref 29 of the ref 29 for transmitting to the network) . However, Tonnby does not disclose an interface machine for receiving an audio signal and providing a network audio signal for transmitting via WAN by using a first sound mechanism and local system having second sound mechanism for processing received a network audio

Art Unit: 2665

signal into a continuous audio signal. In the same field of endeavor, Anderson discloses (Fig 1-3 and col. 1, lines 55 to col. 7, lines 38) an interface machine (Fig 1 is a computer has an analog line interface codec "Ref 16" for converting a transmission signal into the audio signals then generating packets having the digitized audio signal by using a sound mechanism for transmitting via WAN 104 to another computer, which have an address, has a sound mechanism for processing the network audio packet; See col. 5, lines 9-45 and Fig 2) for processing a received telephone signal into a network audio signal for transmitting via WAN (Fig 1, Ref 32b) to a local system (Col 5, lines 5-8, a computer "implicitly has an WAN address" which has an WAN address is a multimedia computer with a sound processing software for converting a network audio signal into a continuous audio signal for outputting to a speaker) having second sound mechanism for processing received network audio signal into a continuous audio signal and an automated attendant system (Fig 1, performing automated attendant management, see col. 4, lines 36-48) for gathering the information (See col. 5, lines 46-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to integrate a gateway for processing a telephone signal into a network audio signal for transmitting via WAN as disclosed by Anderson's telecommunication system into Tonnby's telecommunication system. The suggestion/motivation would have been to reduce the cost of long distance between the users. Even without, Anderson's teaching one of ordinary skill in the art would have known how to converting a telephone signal into a network audio signal because this method is well known in the art and public uses such as vocaltec software for using with a sound card.

Art Unit: 2665

Response to Arguments

3. Applicant's arguments with respect to claims 1, 4-10 and 12-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (703) 308-6602. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

A handwritten signature in black ink, appearing to read 'Steven HD Nguyen', with a long horizontal flourish extending to the right.

Steven HD Nguyen
Primary Examiner
Art Unit 2665
March 19, 2003